

supported by the originally filed specification, the claims do not recite matter not disclosed in the specification, and no correction is necessary. Reconsideration and withdrawal of the rejection are therefore respectfully requested.

The rejection of Claims 1-3 and 5 under 35 U.S.C. § 102(b) in view of Miyagi (U.S. 4,207,737) is respectfully traversed. Miyagi merely discloses a binary accelerator switch 59 that is "on" when the accelerator is not depressed, and "off" when the accelerator pedal is depressed beyond a given point (Miyagi at column 7, lines 25-40). Such an arrangement cannot provide the continuous position sensing that is required by independent Claims 1 and 3. Pointedly, the accelerator switch of Miyagi only turns "off" and sends a secondary air increase signal when the accelerator pedal is depressed beyond a given point. Thus, a secondary air increase signal will **not** be sent when the accelerator pedal of Miyagi is depressed by an amount that is less than beyond the given point. Because Miyagi does not disclose or suggest sensing the continuous position of the accelerator pedal, the rejection should be withdrawn.

The rejection of claim 4 under 35 U.S.C. § 103(a) over Miyagi in view of Nagami (U.S. 5,388,403) is also respectfully traversed. Nagami fails to remedy the deficiencies of Miyagi with respect to independent claims 1 and 3. Neither of the cited references discloses or suggests sensing the continuous position of an accelerator pedal. Consequently, the combination of references fails to make out a proper, *prima facie* case of obviousness of the claimed system which requires continuous sensing of the accelerator pedal position. Reconsideration and withdrawal of the rejection are accordingly respectfully requested.

In view of the foregoing, the application is respectfully submitted to be in condition for allowance, and prompt favorable action thereon is earnestly solicited.

If there are any questions regarding this response or the application in general, a telephone call to the undersigned at (202) 624-2845 would be

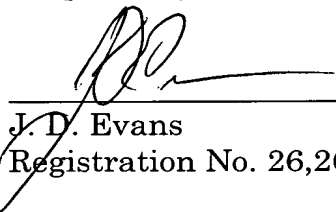
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appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket # 037141.53041US).

Respectfully submitted,

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J. D. Evans  
Registration No. 26,269

CROWELL & MORING, LLP  
Intellectual Property Group  
P.O. Box 14300  
Washington, DC 20044-4300  
Telephone No.: (202) 624-2500  
Facsimile No.: (202) 628-8844  
JDE/MWR:elew